



Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

**Matter of:** Gulf Coast Weather, Inc.  
**File:** B-257557  
**Date:** June 27, 1994

### DECISION

Gulf Coast Weather, Inc. protests the award of a contract by the Department of Commerce under solicitation No. 52RANW400057.

The protest is dismissed because we will not consider a protester's claim that, in essence, a bidder or offeror submitted an unreasonably low price.

A protester's claim that a bidder or offeror submitted an unreasonably low price--or even that the price is below the cost of performance--is not a valid basis for protest. A bidder or offeror, in its business judgment, properly may decide to submit a price that is extremely low. Diemaster Tool, Inc., B-238877, Apr. 5, 1990, 90-1 CPD ¶ 375.

A determination that a bidder or offeror is capable of performing a contract, at the offered price, is based, in large measure, on subjective judgments which generally are not susceptible to reasoned review. Thus, an agency's affirmative determination of a contractor's responsibility will not be reviewed by our Office absent a showing of possible fraud or bad faith on the part of procurement officials, or that definitive responsibility criteria in the solicitation may have been misapplied. 4 C.F.R. § 21.3(m)(5); King-Fisher Co., B-236687.2, Feb. 12, 1990, 90-1 CPD ¶ 177.

The protest is dismissed.

*Ronald Berger*  
Ronald Berger  
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